

1 **LR IA 6-1.**

2 **KIM BERNADETTE JACQUES**  
3 **993 EQUESTRIAN DRIVE #3304**  
4 **HENDERSON, NEVADA 89002**  
5 **970-403-4733**  
6 **kimbjacques@gmail.com**  
7 **PLAINTIFF IN PROPER PERSON**

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
FEB 19 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 **KIM BERNADETTE JACQUES**

11 **Plaintiff,**

12 **-vs-**

13 **ALBERETSONS, LLC et al / Co Defendants**

14 **SEDGWICK, INC (Third Party Insurer) et al**

15 **Defendant(s).**

**CASE NO. 2:20-cv-00079-JCM-BNW**

**REQUEST FOR CONTINUANCE,  
EXTENTION OF TIME**

16 **HEARING DATE:01/21/2020**

17 **COMES NOW, KIM BERNADETTE JACQUES pro se litigant, with a**

18 **LR IA 3-1. REQUEST FOR CONTINUANCE, EXTENTION OF TIME.**

19 **Reason for request: (a) This is the first stipulation for extension requested, by the**  
20 **Plaintiff, to file and respond to the following motions:**

21 **I.**

22 **Motion to Dismiss by Defendant Sedgwick, Inc. filed on 1/21/2020 [Dkt. No. 5]**  
23 **Responses due by 2/4/2020. Discovery Plan/Scheduling Order due by**  
24 **3/6/2020. (Burden, Jack) (Entered 01/14/2020)**

25 **II. Discovery Planning / Dispute Conference Requested 2/18/2020**

26 **A. Rule 26(f) conference has not been held and the parties are scheduling the**  
27 **same.**  
28

Defendants: SEDGWICK, INC., et al have not produced both recorded Depositions with

Plaintiff: KIM BERNADETTE JACQUES and Defendants: Sedgwick, Inc.

NICOLE KNYSCH | Claims Examiner **Sedgwick Claims Management Services, Inc.**

Direct: 952-942-2558

Toll Free: 1-855-692-8987 x 22558

Fax: 859-264-4068

P.O. Box 14012

Lexington, KY 40512

Email [Nicole.Knysch@sedgwick.com](mailto:Nicole.Knysch@sedgwick.com)

[www.sedgwickcms.com](http://www.sedgwickcms.com) | *Caring Counts*

Sedgwick manages claims for Zurich American Insurance and ACE American Insurance

B. [16.1C)(1) (a)(ii)] List of All Documents, Data Compilations and Tangible Things in the Defendants Possession, Custody or Control of Each Party have been withheld.

C. No Defenses provided by the Defendants ALBERTSONS, LLC et al / Co Defendants SEDGWICK, INC., et al for not providing answers to Interrogatories numbers 3, 4, 5, 6, and 7 Early Arbitration Request for Production

### III. Pending Motions.

Sedgwick, Inc.'s Motion to Dismiss

### IV. Associated Cases.

None.

### V. Actions Required to be Taken by the Court.

**Grant CONTINUANCE AND EXTENTION OF TIME**

The Defendants: ALBERTSON'S, LLC et al / Co Defendants: SEDGWICK, INC., et al are aware of my Traumatic Brain Injury (TBI), by way of documented HIPPA Private Confidential Protected Medical Health Records. I suffer from: severe debilitating and exhausting migraine, eye, and head pain, complicated by nerve damage in my neck, delaying my progress.

Both Defendants are at fault and complicit in the Complaint of which I Pray for Relief of the Court.

This petition and pleading for Continuance and Extension of Time, if granted, will allow the Plaintiff, pro se litigant, to comply with all proceedings, procedural rules, and guidelines.

I declare that under penalty of perjury under the laws of the State of Nevada that the above is true and correct. I further declare that I am a resident of Clark County, Nevada.

I am over the age of 18 years and a party to the within action. My address is: 993 Equestrian Drive # 3304 Henderson, Nevada 89002

DATED this 19<sup>th</sup> day of February 2020

*Kim Bernadette Jacques*

SIGNATURE

KIM BERNADETTE JACQUES  
993 EQUESTRIAN DRIVE #  
3303  
HENDERSON, NEVADA  
89002

State of Nevada  
County of Clark

This instrument was acknowledged before me  
on 02/19/20 by Kim Bernadette Jacques

Notary Signature *Michelle Halifax*



It appears that Plaintiff requests an extension of the time to file the parties' proposed discovery plan and scheduling order. However, a discovery plan and scheduling order was filed within the time set by the Court. (See ECF No. 16). Accordingly, Plaintiff's motion for an extension of time (ECF No. 12) is DENIED without prejudice as moot. If Plaintiff seeks a different extension, Plaintiff may file a subsequent motion.

IT IS SO ORDERED

DATED: May 11, 2020

*Brenda Weksler*

BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. #: 2:20-cv-00079-JCM-BNW

## PROOF OF SERVICE

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*This summons for (name of individual and title, if any) PLAINTIFF; KIM BERNADETTE JACQUESwas received by me on (date) 970-403 4733☐ I personally served the summons on the individual at (place) \_\_\_\_\_

on (date) \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_

, a person of suitable age and discretion who resides there,

on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Backus, Carranza & Burden Jacquelyn Franco Jack P, who is designated by law to accept service of process on behalf of (name of organization) ALBERTSON'S LLC et al / Sedgon (date) 2/19/2020 ; or☐ I returned the summons unexecuted because \_\_\_\_\_ ; or☐ Other (specify): \_\_\_\_\_My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 2/19/2020Kim Bernadette Jacques  
Server's signatureKim Bernadette Jacques

Printed name and title

993 Equestrian Drive # 3304

Server's address

Nevadson, Nevada 89002

Additional information regarding attempted service, etc:

State of Nevada  
County of Clark

This instrument was acknowledged before me

on 2/19/2020 by Kim Bernadette Jacques  
Notary Signature: [Signature]

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KIM BERNADETTE JACQUES,

Plaintiff(s),

vs.

ALBERTSON'S LLC, et al.,

Defendant(s).

2:20-cv-00079-JCM-BNW

MINUTES OF THE COURT

January 13, 2020

**PRESENT:**

The Honorable James C. Mahan, U.S. District Judge

Deputy Clerk: Shelly Denson

Recorder/Reporter: None Appearing

Counsel for Plaintiff(s): None Appearing

Counsel for Defendant(s): None Appearing

**MINUTE ORDER IN CHAMBERS:**

The removing defendant must, no later than 15 days from the date of this order, file and serve a signed statement regarding removal in this case that sets forth the following information:

1. The date on which you were served with a copy of the complaint.
2. The date on which you were served with a copy of the summons.
3. In removals based on diversity jurisdiction, the names of any served defendants who are citizens of Nevada, the citizenship of the other parties, and a summary of defendant's evidence of the amount in controversy.
4. If your notice of removal was filed more than 30 days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date you first received a paper identifying the basis for removal.
5. In actions removed on the basis of the court's jurisdiction in which the state court action was commenced more than one year before the date of removal, the reasons

this action should not summarily be remanded to the state court.

6. The name of any defendant known to have been served before you filed the notice of removal who did not formally join in the notice of removal and the reasons they did not.

All defendants who joined in the notice of removal may file the statement jointly.

Within 30 days from the date of this order, the parties must file a joint status report that sets forth the status of this action, including a statement of action required to be taken by this court.

**All pending motions and other requests directed to the state court are automatically denied without prejudice upon removal, but may be refiled in this court. Motions refiled in this court must include citation to all relevant federal law and must be revised as necessary to comply with this court's rules. See LR 81-1.**

The removing defendant must serve a copy of this order on all other parties to the action within 15 days from the date of this order. A party who learns that the statement regarding removal filed under this order contains incorrect information must promptly file a written notice with the court.

**IT IS SO ORDERED.**



Kim B Jacques <kimbjacques@gmail.com>

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**RE: "Honorable Miranda M. Du, Chief Judge,"**

1 message

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**helpdesk Vegas** <helpdesk\_Vegas@nvd.uscourts.gov>  
To: "kimbjacques@gmail.com" <kimbjacques@gmail.com>

Tue, Feb 4, 2020 at 1:53 PM

Good Afternoon,

Chief Judge Du does not monitor this mailbox, nor are messages forwarded to her, as this type of communication is not permitted (please see Local Rule IA 7-2 (b)). The court is also not permitted to assist you in the preparation of your motions. Assisting you would be considered legal advice, which, as you know, we are not permitted to give.

——Original Message——

From: WordPress <webmaster-nvd@nvd.uscourts.gov>  
Sent: Tuesday, February 4, 2020 1:13 PM  
To: helpdesk Vegas <helpdesk\_Vegas@nvd.uscourts.gov>  
Subject: "Honorable Miranda M. Du, Chief Judge,"

From: Kim Bernadette Jacques <kimbjacques@gmail.com>  
Subject: Honorable Miranda M. Du, Chief Judge,

Message Body:

Honorable Miranda M. Du, Chief Judge,

Re: Plaintiff: Kim Bernadette Jacques

I attempted to see you yesterday to assist me with Motion to Represent myself pro se litigant to file electronically, Motion of Continuance, and Motion to Extend Time to prepare my case:

CIVIL DOCKET FOR CASE #: 2:20-CV-00079-JCM-BNW LLC

Plaintiff: Kim Bernadette Jacques v.

Defendants: Albertson's LLC / Co Defendants Sedgwick, Inc. Represented by Jacquelyn Michelle Franco, Esq. Nevada State Bar No. 13484 Backus, Carranza & Burden 3050 South Durango Drive Las Vegas, Nevada 89117 702-872-5555 x223 Fax: 702-872-5545 Email: jacquelynfranco@backuslaw.com LEAD ATTORNEY/ ATTORNEY TO BE NOTICED Jack P. Burden, Esq. Nevada State Bar No. 6918 (see above for address) ATTORNEY TO BE NOTICED E-mail: jburden@backuslaw.com

In response to the pending Motion to Dismiss from the Defendants: Jacques v. Albertson's LLC et al  
Assigned to Judge James C. Mahan Referred to Magistrate Judge Brenda Weksler  
Demand: \$15,000,000

Date Filed: 01/13/2020 Jury Demand Defendant Nature of Suit: 360 P.I.: Other Jurisdiction: Diversity Case  
in other Court: Eighth Judicial District; Clark County, A-19-799623-C  
Cause: 28:1441 Petition for Removal - Personal Injury

Date Filed: 01/13/2020 Docket #1. PETITION FOR REMOVAL:

01/13/2020 # Case randomly assigned to Judge James C Mahan and Magistrate Judge Brenda Weksler (SLD) (Entered: 01/13/2020). ( Burden, Jack) ( Entered: 01/14/2020

01/14/2020 #3 NOTICE of Minutes of the Court Dated January 13, 2020 MINUTE ORDERS IN CHAMBERS OF THE Honorable Judge James C. Mahan and Magistrate Judge Brenda Weksler

Statement regarding moved action is DUE BY 1/28/2020

01/21/2020 Ruling #5 MOTION TO Dismiss by Defendants Sedgwick, Inc. Responses due by 2/4/2020.

Discovery Plan / Scheduling Order by 3/6/2020 (Burden, Jack)

2/12/2020

01/21/2020 MINUTE ORDER IN CHAMBERS of the Honorable Judge James, C. Mahan on 1/21/2020.

Regarding the Requirements of Klingele v. Eikenberry and Rand v. Rowland as to #5 Motion to Dismiss, Opposition due in 14 days from date of minute order, and reply due seven 7 days after the filing of the opposition. (copies were distributed pursuant to the NEF - EDS) (Entered: 01/21/2020)  
1/27/2020 #7 STATEMENT RREGARDING REMOVAL by Defendants Albertson's LLC. ( Burden, Jack) (Entered: 01/27/2020 In accordance with FRCP 4(C)(1) and FRCP 4 (m); Plaintiff: Kim Bernadette Jacques did electronically file and timely served the Initial Complaint electronically on August 2, 2019. Plaintiff filed Amended Complaint electronically on August 14, 2019. All filings, Motions, Complaints, and Pleadings were timely served to physical addresses of the offices of Sedgwick, Inc., both Nevada and Minnesota.

Time: It takes time for me to do all the work required.

Knowledge: I have to search and research the LAW as a whole; procedures, codes, cases, complaints, support documentation, Amendments and continue to get my much need Health Care. (I do not mention this as an excuse or any cause not to grant addition time to submit all required.) It is just the fact of the case and cause of action.

I was severely injured and have a traumatic brain injury so Migraine pain is disabling and debilitating for me. All of the work required in this case is mine and mine alone.

I do not have a staff, Legal assistants, Partners, Law Clerks, A Law Degree, or the Financial wherewithal to continue, but continue I must. An injustice and serve injury to ones own Life, Liberty and the Pursuit of Happiness need not be rewarded the Dismissal of this case. Both Albertson's LLC's and Sedgwick, Inc have continue to break the law.

I will bring as many documents to support my case and petition for more time to be rendered.

Please advise or instruct according. I simply can not thank your Honor enough. I intend to do my very best to present the evidence and requirements Sincerest Regards,  
Plaintiff: Kim Bernadette Jacques

I will be filing as many Motions as possible today.

I am asking for the Courts permission to include all of the above in consideration of more time for filing to be done.

Today, is my last day.

Many Laws have been broken and I need the time to get all of the pleadings correct.

If you would please

I will submit all the filing that I am able and pray for time, and consideration to Legal Case Fed. R. Civ. P. Rules.

Sincerest Regards,

Plaintiff: Kim Bernadette Jacques

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This e-mail was sent from a contact form on United States District Court - District of Nevada web site

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. #: 2:20-cv-00079-JCM-BNW

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on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_

, a person of suitable age and discretion who resides there,

on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Backus, Carranza & Burden Jacquelyn Franco Jack P, who is designated by law to accept service of process on behalf of (name of organization) ALBERTSON'S LLC et al / Sedgon (date) 2/19/2020; or☐ I returned the summons unexecuted because \_\_\_\_\_; or☐ Other (specify): \_\_\_\_\_My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 2/19/2020Kim Bernadette Jacques  
Server's signatureKim Bernadette Jacques  
Printed name and title993 Equestrian Drive # 3304  
Server's addressHenderson, Nevada 89002

Additional information regarding attempted service, etc:

State of Nevada  
County of Clark

This instrument was acknowledged before me

on 2/19/2020  
by Kim Bernadette Jacques  
Notary Signature [Signature]